

Exhibit 4

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Q+ FOOD, LLC, LAWRENCE
BARTON d/b/a LEGEND MEATS,
LLC; ENCORE PIANO & ORGAN
MOVING, LLC; ALL AMERICAN
MOVING AND STORAGE
DELIVERY, LLC, and WEST
LUMBER & BUILDING SUPPLY
CORP; individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

MITSUBISHI FUSO TRUCK OF
AMERICA, INC.,

Defendant.

Civil Action No. 14-cv-06046-MAS-DEA

DECLARATION OF ROBERT W. MURPHY

THE UNDERSIGNED, Robert W. Murphy, hereby declares pursuant to 28
U.S.C. §1746, as follows:

1. I am counsel of record for Plaintiffs, Q+ FOOD, LLC, *et al.*,
individually and on behalf of all others similarly situated ("Class
Representatives"), in that certain case styled "*Q+ Food, LLC, et al., individually
and on behalf of all others similarly situated, v. Mitsubishi Fuso Truck of*

America, Inc., in the United States District Court, District of New Jersey, Civil Action No. 14-cv-06046-MAS-DEA” (“Class Action”).

2. With respect to the representation of the Class, Declarant was employed under a written contingency fee agreement which predicated the payment of attorney’s fees on the successful conclusion of the litigation on behalf of the Class.

3. Declarant utilizes a computerized time-keeping system which records and tracks time on a daily basis. The policy and practice of Declarant is to record time contemporaneously.

4. Declarant exercised time-keeping discretion in order to avoid the recording of time which would be duplicative or unnecessary to the prosecution of the claims of the Class Representatives and the members of the Class.

5. As of January 11, 2017, Declarant has expended 151.9 hours at an hourly rate of \$700.00, for the sum of \$106,330.00 in representation of the Class in this matter.

6. The contemporaneously kept records of Declarant reflecting services rendered in this litigation will be produced to the Court if requested.

7. Declarant believes that an additional 30 hours of attorney time for Declarant will be spent preparing for and attending the final approval hearing,

issuance of settlement checks, addressing class member inquiries, and related matters to closure, but have not shown such time on the time sheets.

8. The lodestar calculation for attorney's fees for time expended or to be expended is 151.9 hours and 30 hours anticipated additional time x \$700.00/hour, for a total of \$127,330.00.

9. Declarant has advanced in excess of \$3,065.76 in litigation expense, consisting of the following:

Travel - Airfare	\$ 2,516.30
Travel - Lodging	\$ 349.90
Travel - Cab	\$ 106.05
Travel - Food	\$ <u>93.51</u>
TOTAL	\$ <u>3,065.76</u>

10. The incurred attorney's fees and costs are taxable, reasonable and necessary in the litigation of this matter.

PURSUANT TO 28 U.S.C. § 1746, I CERTIFY, UNDER PENALTY OF PERJURY, THE FOREGOING IS TRUE AND CORRECT.

Executed this 11th day of January, 2017 in Fort Lauderdale, Florida.



ROBERT W. MURPHY